

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	)	
	)	
Inventor: Scott A. Arvin	)	Examiner: Peng Ke
	)	
Serial #: 10/657,427	)	Group Art Unit: 2174
	)	
Filed: September 8, 2003	)	Appeal No.: _____
	)	
Title: TEMPORARY TEXT AND GRAPHIC	)	
<u>FEEDBACK FOR OBJECT MANIPULATORS</u>	)	

**REPLY BRIEF OF APPELLANTS**

MAIL STOP APPEAL BRIEF - PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §41.41, Appellants hereby submit the Appellants' Reply Brief on Appeal from the final rejection in the above-identified application, as set forth in the Office Action dated December 10, 2007 and the Examiner's Answer dated August 6, 2008.

Please charge any additional fees or credit any overpayments to Deposit Account No. 50-0494 of Gates & Cooper, LLP.

I. REAL PARTY IN INTEREST

The real party in interest is Autodesk, Inc. the assignee of the present application.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

III. STATUS OF CLAIMS

Claims 1, 3-17, 19-33 and 35-48 are pending and stand rejected in the application.

Claims 2, 18, and 34 have been cancelled.

The rejection of claims 1, 3-17, 19-33 and 35-48 are being appealed herein.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been made subsequent to the final Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The independent claims are directed to temporarily displaying information relating to an object manipulator. The claims provide for displaying a graphic object and an object manipulator on the object. Even though the definition of an object manipulator is well understood in the field of the invention, Appellant previously amended the claims to further clarify such an object manipulator. In this regard, the claims provide that the object manipulator is a glyph or symbol that is used to modify a property of the graphic object. A cursor is placed over the object manipulator and information is temporarily displayed in response. Further, the information is displayed without activating the object manipulator at all.

The support in the specification for the various claim limitations are set forth below.

<b>CLAIM LIMITATION</b>	<b>SPECIFICATION SUPPORT</b>
1. A method for temporarily displaying information relating to an object manipulator:	[0005] - Page 2, line 21-page 3, line 1; [0084] - Page 24, line 22-page 25, line 2; FIG. 15
displaying a graphic object in a computer graphics program;	[0084] - Page 24, line 22-page 25, line 2; FIG. 15, step 1500.
displaying an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;	[0085] - Page 25, lines 3-5; [0010] - page 4, lines 19-23; [0043] - page 11, lines 16-22; [0054] page 15, line 22-page 16, line 7; [0058] - Page 17, lines 1-5; [0060] - Page 17, lines 12-17; [0075] - Page 22, lines 3-8; [0085] - Page 25, lines 3-5; FIG. 15, step 1502
receiving cursor input wherein a cursor is placed over the object manipulator; and	[0012] - Page 5, lines 5-14; [0015] Page 6, lines 2-7; [0085] - Page 25, lines 3-5; [0087] - Page 25, line 17-page 26, line 1; FIG. 15, step 1504
temporarily displaying information relating to the object manipulator without	[0014] - Page 5, line 20-page 6, line 1; [0069] - Page 20, lines 8-11; [0073] - Page 21, lines 15-18;

activating the object manipulator.	[0075] - Page 22, lines 3-8; [0086] - Page 25, lines 6-16; FIG. 15, step 1506
17. An apparatus for temporarily displaying information relating to an object manipulator in a computer graphics program of a computer system comprising:	[0005] - Page 2, line 21-page 3, line 1; [0084] - Page 24, line 22-page 25, line 2; FIG. 2, 200, 208, FIG. 3
(a) a computer having a memory;	[0034] - Page 9, lines 9-15; FIGs. 2 and 3, 200, 204, 304, 208, 310, 306
(b) an application executing on the computer, wherein the application is configured to:	[0035] - Page 9, lines 16-23; FIGs 2 and 3, 208.
(i) display a graphic object in a computer graphics program;	[0084] - Page 24, line 22-page 25, line 2; FIG. 15, step 1500
(ii) display an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;	[0085] - Page 25, lines 3-5; [0010] - page 4, lines 19-23; [0043] - page 11, lines 16-22; [0054] page 15, line 22-page 16, line 7; [0058] - Page 17, lines 1-5; [0060] - Page 17, lines 12-17; [0075] - Page 22, lines 3-8; [0085] - Page 25, lines 3-5; FIG. 15, step 1502
(iii) receive cursor input wherein a cursor is placed over the object manipulator; and	[0012] - Page 5, lines 5-14; [0015] Page 6, lines 2-7; [0085] - Page 25, lines 3-5; [0087] - Page 25, line 17-page 26, line 1; FIG. 15, step 1504
(iv) temporarily display information relating to the object manipulator without activating the object manipulator.	[0014] - Page 5, line 20-page 6, line 1; [0069] - Page 20, lines 8-11; [0073] - Page 21, lines 15-18; [0075] - Page 22, lines 3-8; [0086] - Page 25, lines 6-16; FIG. 15, step 1506
33. An article of manufacture	[0005] - Page 2, line 21-page 3, line 1; [0084] -

comprising a program storage medium readable by a computer and embodying one or more instructions executable by the computer to perform a method for temporarily displaying information relating to an object manipulator in an object-oriented computer graphics system, the method comprising:	Page 24, line 22-page 25, line 2; Page 31, lines 20-23; FIG. 1 and 2
means for displaying a graphic object in a computer graphics program;	This element is a means plus function element. The structure, material, or acts corresponding to this claimed element are described in the specification at [0084] - Page 24, line 22-page 25, line 2 and [0034]-[0041] - page 9, line 9-page 11, line 8; FIG. 15, step 1500
means for displaying an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;	This element is a means plus function element. The structure, material, or acts corresponding to this claimed element are described in the specification at [0085] - Page 25, lines 3-5; [0010] - page 4, lines 19-23; [0043] - page 11, lines 16-22; [0054] page 15, line 22-page 16, line 7; [0058] - Page 17, lines 1-5; [0060] - Page 17, lines 12-17; [0075] - Page 22, lines 3-8; [0085] - Page 25, lines 3-5; [0034]-[0041] - page 9, line 9-page 11, line 8; FIG. 15, step 1502
means for receiving cursor input wherein a cursor is placed over the object manipulator; and	This element is a means plus function element. The structure, material, or acts corresponding to this claimed element are described in the specification at [0012] - Page 5, lines 5-14; [0015] Page 6, lines 2-7; [0085] - Page 25, lines 3-5; [0087] - Page 25, line 17-page 26, line 1; [0034]-



	[0041] - page 9, line 9-page 11, line 8; FIG. 15, step 1504
means for temporarily displaying information relating to the object manipulator without activating the object manipulator.	This element is a means plus function element. The structure, material, or acts corresponding to this claimed element are described in the specification at [0014] - Page 5, line 20-page 6, line 1; [0069] - Page 20, lines 8-11; [0073] - Page 21, lines 15-18; [0075] - Page 22, lines 3-8; [0086] - Page 25, lines 6-16; [0034]-[0041] - page 9, line 9-page 11, line 8; FIG. 15, step 1506
35. The article of manufacture of claim 33, wherein the means for temporarily displaying the information comprises means for changing a color of the object manipulator, wherein other object manipulators are displayed in close proximity on the graphic object such that it is difficult to distinguish which object manipulator will be activated as a result of pointing device activation, and wherein the changing of the color distinguishes the object manipulator from the other object manipulators.	This element is a means plus function element. The structure, material, or acts corresponding to this claimed element are described in the specification at [0034]-[0041] - page 9, line 9-page 11, line 8; [0047]-[0050] - Page 13, line 17-page 14, line 22; FIGs. 1 and 2, 208

VI.    GROUND**S** OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1, 3-17, 19-33, and 35-48 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Arora et al., U.S. Patent No. 5,845,299 (Arora) in view of Malamud et al., U.S. Patent No. 6,948,126 (Malamud) and Kreegar et al., U.S. Patent No. 5,396,590 (Kreegar).

All of the above rejections are being appealed.

## VII. ARGUMENT

- A. Claims 1, 3-17, 19-33, and 35-48 were rejected under 35 U.S.C. §103(a) are patentable over Arora et al., U.S. Patent No. 5,845,299 (Arora) in view of Malamud et al., U.S. Patent No. 6,948,126 (Malamud) and Kreegar et al., U.S. Patent No. 5,396,590 (Kreegar).

### 1. Independent Claims 1, 17, and 33

Specifically, independent claims 1, 17, and 33 were rejected as follows:

Regarding independent claim 1, Arora teaches a method for temporarily displaying information relating to an object manipulator:

Displaying a graphic object in a computer graphics program; displaying an object manipulator on the graphic object; (i.e. “Properties” window related to items 502 and 504 in FIG. 5 et seq. of Arora);

wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object; (figure 9a-9d)

Arora does not teach temporarily displaying information relating to the object manipulator without activating the object manipulator.

Malamud teaches receiving cursor input wherein a cursor is placed over the object (i.e. see tooltip associated with objects in FIGS. 2D-2H et seq. of Malamud).

It would have been obvious to an artisan at the time of the invention to combine the cursor input of Malamud into the information display of Arora. Said artisan would have been motivated to combine Malamud into Arora so that through manipulation of the cursor the user is able to have displayed information about the object (i.e. see col. 1 line 52 et seq. of Malamud).

Kreegar teaches displaying information relating to the object manipulator without activating the object manipulator (i.e. col. 2 line 50 et seq. of Kreegar; “without having to activate different modes for different manipulations”).

It would have been obvious to an artisan at the time of the invention to combine the non-activation required manipulators of Kreegar into the temporary display of Arora as modified by Malamud. Said artisan would have been motivated to combine Kreegar into the modified Arora to allow a user • to manipulate the objects without having to resort to alternative• methods of manipulation (i.e. col. 2 line 45 et seq. of Kreegar).

Claim 17 is similar in scope to claim 1, and is therefore rejected under similar rationale.

Claim 33 is similar in scope to claim 1, and is therefore rejected under similar rationale.

- (1) Arora, Malamud, and Kreegar do not teach, disclose or suggest temporarily displaying information relating to an object manipulator that is used to modify a property of a graphic object; and

(2) Arora, Malamud, and Kreegar do not teach, disclose or suggest temporarily displaying information relating to an object manipulator that is used to modify a property of a graphic object without activating the object manipulator.

As described above, the independent claims are directed to temporarily displaying information relating to an object manipulator. The claims explicitly provide for displaying a graphic object and an object manipulator on the object. Even though the definition of an object manipulator is well understood in the field of the invention, Appellants previously amended the claims to further clarify such an object manipulator. In this regard, the claims provide that the object manipulator is a glyph or symbol that is used to modify a property of the graphic object. A cursor is placed over the object manipulator and information is temporarily displayed in response. Further, the information is displayed without activating the object manipulator at all.

When rejecting claim 1, the Office Action relies on Arora to teach the display of an object manipulator on the graphic object. Namely, the Action relies on the “Properties” window related to items 502 and 504 of FIG. 5. Appellants respectfully disagree with and traverse such an assertion. Firstly, the properties window is not even remotely similar to an object manipulator (either before or after the amendments defining the object manipulator). Secondly, the properties window is not displayed on a graphic object itself (as claimed). Instead, the properties window is displayed to the side of windows 502 and 504. Again, not only does Arora fail to teach, disclose, or suggest an object manipulator, but Arora also fails to even remotely allude to displaying such an object manipulator on a graphic object itself.

The Action continues and relies on Malamud’s tooltip in FIGS. 2D-2H to teach the receipt of cursor input when placed over an object. Appellants note that Malamud’s tooltips are also not object manipulators (either before or after the present amendments). Instead, Malamud’s tooltips are merely information that is displayed about an object in an information window (see col. 1, lines 52 et seq.). Further, Malamud’s tooltips are not displayed when the user places a cursor over an object manipulator. As can be clearly seen in FIGS. 2D-2H, the cursor is merely placed over an object (e.g., a folder or some object) and not over an object manipulator that is displayed on an object (as claimed). Accordingly, Malamud also fails to teach, disclose, or suggest, explicitly or implicitly the present invention.

Lastly, the Office Action relies on Kreegar to teach displaying information relating to the object manipulator without activating the object manipulator (col. 2, line 50 et seq). Appellants note that Kreegar merely describes the ability to use different shape control tools (see col. 2, lines 41-68). Further, close examination of Kreegar's recited text reveals that rather than forcing the user to enter a different mode to perform a different manipulation (e.g., using different menu bar selections), Kreegar provides the ability to merely selecting a different shape control tool. However, nowhere in Kreegar is there even a remote reference to displaying information regarding any of such shape control tools or regarding what such shape control tools will do. In addition, contrary to that asserted in the Office Action, Kreegar actually requires the user to click on the tool in order to display or use the particular shape control tool (see col. 2, lines 60-68). Kreegar's text explicitly recites that the tool must be activated and manipulated. In this regard, Kreegar would actually serve to teach away from the present invention.

In response to the above arguments, the final Office Action first asserts that the claims will be read broadly. Thereafter, to teach the temporary display of information relating to the object manipulator that is used to modify the property of the graphic object, the final Action again relies on Malamud's property information pop-up window of the selected item (Malamud col. 7, lines 42-70) with Arora's object manipulator (col. 9, lines 40-50). Appellants respectfully disagree with and traverse the rejections. The independent claims explicitly provide:

displaying an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;

In addition, the independent claims explicitly provide:

temporarily displaying information relating to the object manipulator without activating the object manipulator.

Thus, contrary to the assertion of the Examiner, the claim limitations expressly provide that (1) the object manipulator is used to modify a property of the graphic object, and (2) information relating to the object manipulator is temporarily displayed without activating the object manipulator. As stated above, Malamud's popup window is not displayed when a cursor moves over an object manipulator. In fact, Malamud completely fails to describe the use or description of an object manipulator (as expressly defined in the claims) whatsoever. Instead, Malamud's popup window is

merely displayed when the tip of the cursor is moved over a portion of a folder (see col. 7, lines 42-70).

Further, as stated above, Arora also fails to describe an object manipulator as claimed and used in the present claims. Instead, Arora actually teaches away from the temporary display without activating the object manipulator because in Arora, when the various icons are displayed, the user must select one to display a secondary group of tools (see col. 9, lines 40-50). Further, the icons cited in the final Office Action are not displayed “on a graphics object” as explicitly claimed. Instead, Arora displays all of the icons in a single tool window 324 (see figures 9a-9f and col. 9, lines 40-50).

With respect to the arguments relating to the temporary display of information “relating to the object manipulator” (expressly claimed), the final Office Action again relies on the same portions of Malamud and Arora. Appellants reassert the arguments above and submit that not only do Malamud and Arora (either alone or when combined) fail to teach the object manipulator as claimed, but they both fail to teach the temporary display of information relating to the object manipulator as claimed. In addition, Appellants submit that the cited text serves to actually teach away from the presently claimed invention.

Building upon the independent claims, the dependent claims provide for displaying certain types of information - all without activating the object manipulator.

Appellants note that the concept of placing an object manipulator on a graphic object and providing information of the object manipulator itself without activating the manipulator is neither taught nor suggested by the prior art. More specifically, the invention provides the ability to receive feedback regarding the object manipulator without having to actually activate the manipulator and test the various scenarios or uses of the manipulator. The cited references do not teach nor suggest these various elements of Appellant’s independent claims.

In response to the above previously submitted arguments, the entire Advisory Action provides:

The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 1) Arora fails to teach displaying information relating to an object manipulator?

1) Arora teaches this limitation because the property window is an object manipulator because it allows user to change and edit objects on the display object window. (see Arora, figure 9(a)-(d); col. 10, lines 45-70)

- 2) Arora fails to teach properties window is not displayed on a graphic object itself?
- 2) Arora teaches this limitation because the property window is displayed on the graphic object window. (see Arora, figure. 40, items 394 and 4004) .

Appellants respectfully disagree with and traverse the above rejections. With respect to (1), the Action now relies on a different portion of Arora – namely Arora figure 9(a)-(d) and col. 10, lines 45-70. Figures 9(a)-(d) provide:

FIG. 9(a)

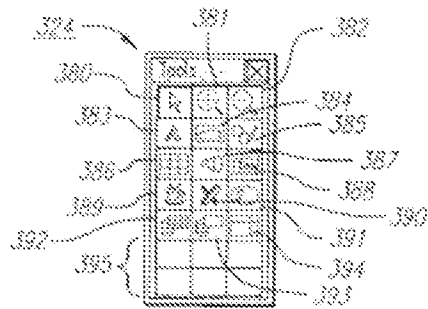


FIG. 9(b)

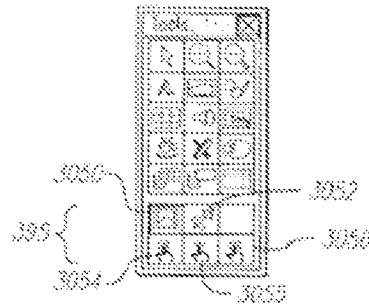


FIG. 9(c)

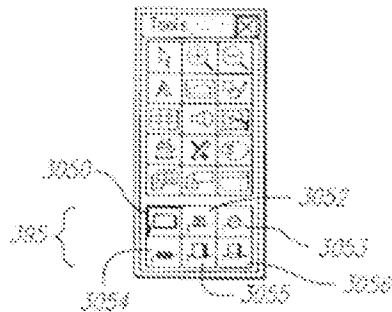
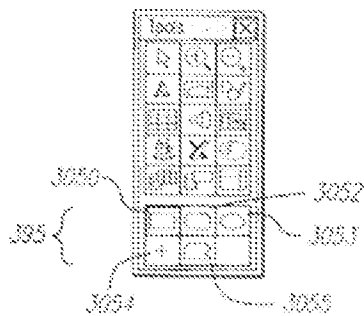


FIG. 9(d)



Col. 10, lines 45-70 provide:

When the user clicks on Draw tool 385, page draw editor 120 allows the user to enter a Draw display element. The Draw tool has five secondary tools 395, shown in FIG. 9(d): rectangle 1950, round rectangle 1952, ellipse 1953, line 1954, and polygon 1955. When the user clicks on Draw



tool 385, the page draw editor displays the secondary draw tools 395 of FIG. 9(d). The user can then choose a secondary draw tool. If, for example, the user selects rectangle 1950, a rectangle Draw tab (see FIG. 10(c)) appears in Properties window 350 in addition to the tabs shown in FIG. 3. Similar tabs appear when the other secondary draw tools are selected. The Polygon tool allows the user to draw a polygon using the cursor, as is known.

As can clearly be seen, Figures 9(a)-(d) illustrate a portion of a tool window 324 (see col. 3, lines 20-25). Such a tool window is not a series of object manipulators as claimed. Instead, they are merely icons that represent tools the user can select to perform an operation on a drawing. Again, the claims explicitly provide:

displaying an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;

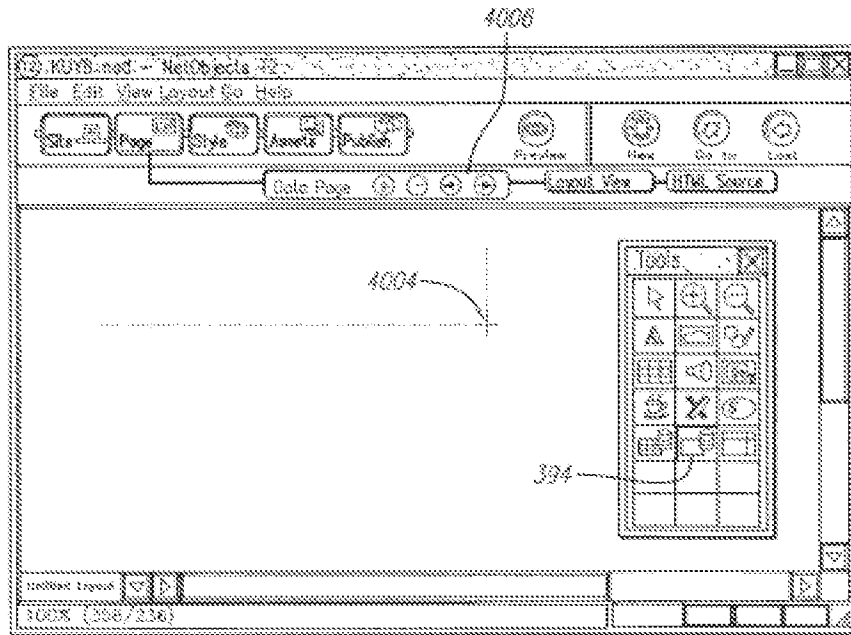
Such claim language illustrates two points – (1) that the object manipulator is displayed on the graphic object itself and (2) the object manipulator is a glyph or symbol that is used to modify a property of the graphic object upon which it is displayed. The mere display of a tool window with various icons completely fails to even remotely allude to a glyph or icon that can be used to modify a property of a graphic object upon which the manipulator is displayed. Further, such a tool window fails to teach, disclose, or suggest the ability to temporarily display information relating to the object manipulator without activating the object manipulator (as expressly claimed). The cited text merely illustrates how the tools in figures 9(a)-(d) without describing or teaching the actual claim limitations.

The Advisory Action further provides:

- 2) Arora fails to teach properties window is not displayed on a graphic object itself?
- 2) Arora teaches this limitation because the property window is displayed on the graphic object window. (see Arora, figure. 40, items 394 and 4004).

Appellants respectfully disagree with and traverse the above. The Action relies on Figure 40, items 394 and 40004. Figure 40 provides:

FIG. 40



As can clearly be seen, nowhere in Figure 40 is there any description, explicit or implicit regarding the placement of the tool window on top of the object which is being manipulated. In fact, if the tool window were placed on top of the object being manipulated, then the object would not be visible at all, precluding the user's viewing of the object and thereby defeating one of the purposes and advantages of the present invention which allows the user to receive feedback regarding how a particular object manipulator can affect a property of a particular object upon which it is placed in a user friendly manner and without actually selecting and/or experimenting with the object manipulator. The tool window accomplishes none of these advantages.

Further, the Office Action is misleading in its statement that the property window is displayed on the graphic object. The supporting text for FIG. 40 (at col. 14, lines 30-36) provides:

FIG. 40 shows an example in which a user has opened Tool window 324 and selected DataField tool 394. The user has then specified a rectangle 4004. The user names the data list ("Headline List") and defines an appearance of the fields selected in FIG. 38. An area for each field can be sized and dragged to define the layout of each data page in the stacked page.

Such text clearly illustrates that the tool window is not displayed over any objects. Instead, the tool window is displayed, the user elects a data field tool 394 and then draws a rectangle 4004.

Nowhere is an actual object to be manipulated displayed; nowhere is there an object manipulator that is actually displayed on such an object; lastly, nowhere is there a display of temporary information that relates to the object manipulator without activating the object manipulator (all as expressly and explicitly claimed).

All of the Actions received from the patent office not only fail to acknowledge the explicitly claimed limitations of the independent claims, but the Actions rely on portions of references and entire references that clearly fall within the prior art described in the background of the presently filed application. The cited references lack even a remote suggestion of many of the cited elements and fail to accomplish the benefits and advantages of the present invention. Further, the prior art fails to even acknowledge the problems that the present invention addresses. Accordingly, Appellants respectfully request the Board reverse the Examiner's rejections and direct the Examiner to allow the application.

In addition, as addressed below, the dependent claims provide various specific implementations that are neither taught nor suggested by the prior art.

In the previously submitted Office Action, numerous arguments were set forth regarding some of the dependent claims and how they are distinguishable over the cited art. However, rather than addressing such arguments, the Patent Office elected to completely and totally disregard the arguments. In this regard, the Patent Office failed to even enter one sentence in the "response to argument" section of the final Office Action relating to the dependent claims. Further, the Office Action entered identical rejections for many the different dependent claims (that contain different limitations). Such a response fails to advance prosecution and merely serves to delay prosecution. Appellants reassert the arguments with respect to the dependent claims (see below) and respectfully requests that the Examiner address the arguments.

In response to the above arguments, the Examiner's Answer first states that Arora teaches an object manipulator because it provides users with a panel of tool objects that allows user to edit, modify, and manipulate graphical object (see Arora Col. 9, lines 40-50). Appellants respectfully disagree with and traverse such assertions. Again, the claims are explicit and don't merely provide that an object manipulator modifies a property of a graphical object. Instead, the claims explicitly provide not only that the object manipulator is a glyph or symbol that is used to modify a property

of the graphic object but the object manipulator is displayed “on the graphic object”. All of the PTO correspondence refuses to address such claim language. In this regard a panel of tool objects are not displayed on an object and in fact would teach away from such a display on a graphic object because (as stated above) if displayed on the graphic object itself, one would not be able to see the graphic object thereby making it impossible and difficult to realize various benefits provided by the present invention.

The Answer then asserts that the combination of Malamud and Kreegard teaches displaying information relating to an object that is issued to modify a property of the graphical object relying on Malamud col. 8, lines 15-40 and Arora col. 9, lines 40-50. Malamud col. 8, lines 15-40 describes moving a pointer over an object such as a disk drive and in response an information block displays the owner of the disk drive, the storage capacity of the disk drive, and the storage capacity currently available on the drive. Alternatively, the user can point to a printer and an information block displays a description of the printer and the number of files in the print queue. However, what is notoriously lacking from such a description is the fact that Malamud’s pointer are placed over the objects themselves and not over an object manipulator of the object. Information relating to an object (e.g., a printer or a hard drive) is entirely different from displaying information relating to an object manipulator that is used to modify a property of the object. They are two different concepts entirely. In this regard, Malamud’s objects are not manipulators that can modify anything but instead are the objects themselves. Thus, the Examiner continues to compare aspects of the cited references to inequivalent elements of the present claims. Such an analysis is improper and without merit. Further, as stated above, Arora col. 9, lines 40-50 (and the remainder of Arora) merely describes a tool window and not object manipulators that are displayed on an object itself. Again, nowhere in the cited references is there any indication of an object manipulator that is displayed “on the graphic object” as claimed.

The Answer further asserts that the combination of Arora, Malamud, and Kreegar teaches temporarily displaying information relating to an object manipulator that is use dot modify a property of the graphic object without activating the object manipulator relying on Malamud col. 8, lines 15-40. As stated above, Malamud fails to describe information about an object manipulator

but instead displays information regarding an object itself. The Answer further relies on Kreegar col. 2, line 45. Col. 2, lines 45-53 provides:

In a computer system that treats graphical objects in a uniform fashion for manipulation purposes and allows a user to operate in a visual “point and click” fashion, the present invention allows a user to select a graphics object or shape and manipulate it in a number of ways without having to active different modes for different manipulations.

As can clearly be seen, such text does not even remotely refer to object manipulators displayed on a graphic object or otherwise. Nor does such text teach, describe, suggest, or allude to temporarily displaying information relating to the object manipulator without activating the object manipulator as explicitly claimed. Instead, the text merely states that an object itself can be selected and modified without having to activate different modes for different manipulations. Thus, nowhere are there even remote hints at the presently claimed limitations either alone or in combination with the other cited references.

In view of the above, Appellants respectfully request reversal of the rejections.

## 2. Dependent Claims 2, 18, and 34 Are Cancelled

## 3. Dependent Claims 3, 19, and 35

Dependent claims 3, 19, and 35 provide that the information is a change of color of the object manipulator. As amended, claims 3, 19, and 35 provide that there are multiple object manipulators that are displayed in close proximity on the graphic object. In this regard, the claims explicitly provide that it is difficult to distinguish which object manipulator will be activated as a result of pointing device activation. Further, the display of the changed color distinguishes one object manipulator from another object manipulator displayed in close proximity.

In rejecting these dependent claims, the Office action relies on a color button of FIG. 3 of Arora. Appellants note that the claims do not provide for a color button whatsoever. Instead, as claimed, the color of the object manipulator is changed. Thus, the existence of the ability to select a color or to click a color button has no relevance whatsoever to the present claims.

Further, the other cited references fail to cure the deficiencies of Arora.

In response to the above arguments, the Answer response to arguments section first characterizes the arguments and claim language as asserting that there is distinction in color between activated objects and inactivated objects. The Action then relies on Kreegar col. 6, lines 65-70 and Arora col. 9, lines 40-50 to teach such claim limitations.

Firstly, such a characterization is not only contrary to the claim language but is not what Appellants have asserted. Secondly, the cited text is irrelevant with respect to the present claims.

The claim language provides for changing a color of an object manipulator where multiple object manipulators are displayed in close proximity such that it is difficult to distinguish between them and the color indicates which object manipulator will be activated. Thus, a determination of whether an object is active or not is entirely irrelevant with respect to the present claims. The Examiner is ignoring the claim limitations and fails to address when object manipulators are in close proximity to each other and the use of color to distinguish between them as expressly and explicitly claimed.

The Answer further combines Malamud Figs. 2D-2H (to assert tooltips in close proximity to each other) with Arora's Fig. 3 (for a color button) with Figs. 4a-5e of Kreegar (for change in object manipulators) to allegedly teach the present invention. However, a proximity of tooltips has nothing to do with the object manipulators in close proximity to each other as claimed. Further, as described above, the color button is also irrelevant with respect to the present claims since a color button is not claimed. Further, Fig. 4a-5e of Kreegar illustrates the scaling and rotating of a shape around a pivot point (see col. 3, lines 12-17). Thus, the cited text is entirely irrelevant with regard to the present claims and further fails to establish a prima facie case of unpatentability.

In view of the above, Appellants respectfully request reversal of the rejections.

#### 4. Dependent Claims 4, 20, and 36

Dependent claims 4, 20, and 36 provide that the information displayed is a value of a property that is to be modified by the object manipulator. The claims further provide that, when the cursor is moved over an object manipulator (and without activating the manipulator [e.g., clicking the mouse button]), a property that will be modified by activating the object manipulator is

displayed. In rejecting these claims, the Office Action relies on the properties window related to items 502 and 504 of FIG. 5 of Arora.

Appellants respectfully traverse such an assertion. Again, Arora's properties window is not information that is displayed when a cursor is placed over an object manipulator. In this regard, Arora does not teach or disclose an object manipulator. Further, the information in Arora's properties window has no relevance with respect to an object manipulator. Instead, the properties window only refers to properties of a current page displayed (see col. 6, lines 42-46). Such a properties window is not temporarily displayed as claimed nor does such a window disclose the value of a property that will be modified if an object manipulator is activated. Again, such a properties window is neither relevant to, nor does it remotely describe, the claimed object manipulator, information, or value that will be modified by activation of an object manipulator as claimed.

Appellants note that the Answer fails to address the above arguments.

Accordingly, Appellants respectfully request reversal of the rejections.

#### 5. Dependent Claims 5, 21, and 37

These dependent claims build upon claims 4, 20, and 36 and further provide that the property for which the value is displayed is a dimensional property. Thus, the displayed value is for a dimensional property (i.e., the value comprises a dimension).

In rejecting these claims, the Office Action further relies on the width and height in pixels in FIG. 3 of Arora. However, the width and height in the properties window are for a grid of the displayed window. Such a grid is not an object manipulator, does not represent an object manipulator, nor does it relate to a property of an object manipulator (as claimed). In this regard, such grid properties have no relevance to the presently claimed invention.

In response to the above arguments, the Answer relies on Arora col. 8, lines 50-60. Such text describes a properties window with values include a width and height area. However, such text is not displayed temporarily and does not indicate a value that can be changed by interacting with a particular object manipulator as claimed. Appellants submit that a window with a width and height

is not even remotely relevant to the present claims and completely and entirely fails to even contemplate the present claim limitations.

In view of the above, Appellants respectfully request reversal of the rejections.

6. Dependent Claims 6, 22, and 38

Dependent claims 6, 22, and 38 provide that the information is a graphic visual representation of the graphic object that indicates a potential change to a state of the object (i.e., on which the object manipulator is displayed). In other words, the displayed graphic is a visual representation of the graphics object wherein the visual representation indicates a change to the state of the graphic object. An example of such a changed state is illustrated in FIGS. 11A-11B of the filed application.

In rejecting these claims, the Office Action again relies on Arora's properties window. However, nowhere in the properties window is there any visual representation of a graphic object. Further, nowhere in the properties window is there any indication of a potential change to a state of a graphic object. In this regard, the Office Action is completely disregarding and ignoring the explicit limitations set forth in the claims. Under MPEP §2142 and 2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)." The Action fails to consider each of the claim limitations and summarily rejects the claims referring to a drawing of an issued patent that is not even remotely relevant to the presently claimed invention.

In response to the above assertions, the Answer merely relies on Kreegar highlighting an activated object in col. 6, lines 65-70. The action asserts that the highlighting indicates the graphical object is being manipulated. Appellants submit that such a teaching serves to teach away from the presently claimed invention. Namely because the present claims provide for temporarily displaying information regarding a potential change in state of the graphic object which is done without activating the object manipulator. However, Kreegar describes the highlighting while an object is being manipulated. Such a highlighting during manipulation teaches away from displaying a



potential change without doing the activating as claimed. Again, the teaching of activating an object followed by highlighting (as in Kreegar) does not and cannot teach temporarily displaying information regarding a potential change to a state of the graphical object without activating an object manipulator as claimed.

Accordingly, Appellants respectfully request reversal of the rejections.

#### 7. Dependent Claims 7, 23, and 39

These dependent claims are dependent on 6, 22, and 38 and further provide that the potential change is a potential result of interacting with the object manipulator. Thus, as claimed, the potential result would be a visual representation of the graphic object that indicates the result of interacting with the object manipulator.

Such an indication of the result is not taught, nor suggested by the cited references. As set forth in the patent application, the display of the representation communicates to the user the potential results of interacting with the manipulator without requiring the user to a) interact with the manipulator, b) experiment with what can be done with the manipulator, and c) potentially undo unintended results. Accordingly, the user is able to visualize results before making an actual modification.

In rejecting these claims, the Office Action relies on sample text in item 504 of Arora. Such sample text is not what would result from interacting with an object manipulator as claimed. Instead, the sample text is text that the user would have to manually type into the text box. The sample text is not a potential result from interacting with an object manipulator. In this regard, manually typing in text is not even remotely similar to temporarily displaying a potential value that would result if a user were to activate an object manipulator. Arora completely and utterly fails to teach any aspect of the claimed invention, explicitly or implicitly.

In response to the above arguments, the Answer merely repeats the reliance on Arora's sample text in item 504 of figure 5. Accordingly, Appellants reassert the above arguments.

In view of the above, Appellants respectfully request reversal of the rejection.

8. Dependent Claims 8, 24, and 40

Dependent claims 8, 24, and 40 provide that the information that is temporarily displayed is a function of the object manipulator.

In rejecting these claims, the Office Action relies on item 301 of Fig. 4A of Kreegar. Item 301 of Fig. 4A is a scaling shape control tool (see Kreegar col. 5, lines 65-66). But again, no function is being displayed in Kreegar. Further, no function is temporarily displayed in Kreegar. Further yet, Kreegar completely fails to describe the display of any information relating to the shape control tools 301. Without teaching the ability to display such information, Kreegar cannot possibly teach, disclose, or suggest, the claim limitations, which explicitly require such a display.

Appellants note that the Answer fails to respond to the above arguments.

In view of the above, Appellants respectfully request reversal of the rejections.

9. Dependent Claims 9, 25, and 41

Dependent claims 9, 25, and 41 are dependent on 8, 24, and 40 and further provide that the function that is displayed is a name of the property the object manipulator is used to modify. FIGS. 12A-12B illustrate the display of the name of the property as claimed. For example, the terms “width and height” may be displayed when the cursor is displayed over a particular object manipulator.

In rejecting these claims, the Office Action relies on the Name Information Pointer 26 in FIG. 2A of Malamud. Col. 6, lines 1-6 describe the name information pointer 26:

Name information pointer 26 includes a pointing portion 28 (i.e., a conventional pointing cursor) and an information box 30. The information box 30 displays the name of the object to which the pointing portion 28 points.

However, what is notoriously missing from such a description is that the name pointer is for a name of the object and not for the name of a property that an object manipulator is used to modify (as claimed). In this regard, a name of an object is not similar to, nor does it allude to, the name of a property of the object. Nor does the name of an object allude to the name of a property that an object manipulator will modify (as claimed).

In response to the above arguments, the Answer now relies on Malamud fig. 2j1, items 41 B. Col. 8, lines 15-38 describes fig. 2j1 and provides that the information box 41B includes the “owner”

of the disk drive, the storage capacity of the disk drive, and the storage capacity currently available on the disk drive. Thus, rather than disclosing the name of a property that an object manipulator is going to modify, Malamud merely describes information about a disk drive that the user moves a cursor over. Such an teaching is neither relevant to nor does it remotely allude to the claim limitations.

In view of the above, Appellants respectfully request reversal of the rejections.

10. Dependent Claims 10, 26, and 42 are Not Separately Argued

11. Dependent Claims 11, 27, and 43

Dependent claims 11, 27, and 43 provide that the information that is temporarily displayed is a method that is used to modify a function of the object manipulator. In other words, the object manipulator has a function and the information that is displayed describes a method that can be used to modify that function.

In rejecting these claims, the Office Action relies on item 301 in Fig. 4A of Kreegar. However as described above, item 301 of FIG. 4A is merely a scale control tool and does not refer to a method or a method used to modify a function of an object manipulator. In fact, Kreegar does not even remotely allude to such a claim limitation.

Appellants note that the Answer fails to address the above arguments.

In view of the above, Appellants respectfully request reversal of the rejections.

12. Dependent Claims 12, 28, and 44

Dependent claims 12, 28, and 44 provide that the information is displayed immediately when the cursor is located over the object manipulator. In rejecting these claims, the Office Action merely provides:

compare object manipulators in Fig. 3 et seq. of Kreegar with information displayed when cursor over object in FIG. 2D et seq. of Malamud.

Appellants respectfully disagree with and traverse such a rejection. Appellants note that FIG. 3 of Kreegar merely illustrates a single selected graphical object with shape control tools (see col. 3, lines 9-11). FIG. 2D of Malamud illustrates visual information pointers (see col. 3, lines 52-

53). However, the timing of when information is displayed is not even remotely hinted at in Kreegar's FIG. 3 or Malamud's FIG. 2D. Further, the text of Malamud that describes FIG. 2D (col. 7, lines 10-25) does not even mention the timing or immediacy of a display whatsoever. Similarly, Kreegar's text (col. 5, line 63-col. 6, line 18) also fails to describe when information is displayed. In addition, a comparison (as suggested in the Office Action) of the two figures from two different references adds absolutely nothing to the independent teachings with respect to the presently claimed invention.

Appellants note that the Answer fails to address the above arguments.

In view of the above, Appellants respectfully request reversal of the Examiner's rejections.

#### 13. Dependent Claims 13, 29, and 45

Dependent claims 13, 29, and 45 provide that the information is displayed after a period of time has passed with the cursor located over the object manipulator. In other words, the information that is temporarily displayed is not displayed until the cursor remains over the area for a period of time.

In rejecting these claims, the Office Action relies on Kreegar's object manipulators of FIG., 3 with information displayed when a cursor is over an object in FIG. 2D of Malamud. However, neither reference discloses the ability to display information about an object manipulator. Further, even if combined, the present invention would not result. In this regard, if combined, a scale control tool would be displayed along with information about objects in a drawing (from Malamud). However, information about the scale control tools is not disclosed nor alluded to in either Malamud or Kreegar or the combination of references.

Appellants note that the Answer fails to address the above arguments.

In view of the above, Appellants respectfully request reversal of the rejections.

#### 14. Dependent Claims 14, 30, and 46

Dependent claims 14, 30, and 46 provide that the information is hidden from display after a period of time has passed.

In rejecting these claims, the Office Action merely provides:

compare related items with and without information in FIGS. 2D-2H et seq. of Malamud.

Appellants respectfully disagree with and traverse such rejections. The text describing FIGs. 2D-2H (i.e. col. 7, lines 10-59) does not even remotely refer to hiding the information that is displayed after a period of time has passed. Instead, the text merely describes how a pointer is moved over a folder and information is displayed. The ability to only display such information for a defined period of time (i.e., it is hidden after a period of time has passed) is wholly and completely lacking from the cited text. Further, Appellants note that Malamud's items for which information are displayed are not object manipulators as presently claimed.

Appellants note that the Answer fails to address the above arguments.

In view of the above, Appellants respectfully request reversal of the Examiner's rejections.

#### 15. Dependent Claims 15, 31, and 47

Dependent claims 15, 31, and 47 provide that the information remains displayed until a user activates the object manipulator. In rejecting these claims, the Office Action merely repeats verbatim the rejection of claim 12, namely:

compare object manipulators in Fig. 3 et seq. of Kreegar with information displayed when cursor over object in FIG. 2D et seq. of Malamud.

Such a rejection completely fails to address the claim limitations. Similar to claim 12, Appellants note that FIG. 3 of Kreegar merely illustrates a single selected graphical object with shape control tools (see col. 3, lines 9-11). FIG. 2D of Malamud illustrates visual information pointers (see col. 3, lines 52-53). However, the ability to display such visual information until an object manipulator is activated is not even remotely hinted at in Kreegar's FIG. 3 or Malamud's FIG. 2D. Further, the text of Malamud that describes FIG. 2D (col. 7, lines 10-25) does not even mention when to stop displaying such information. Similarly, Kreegar's text (col. 5, line 63-col. 6, line 18) also fails to describe when to stop displaying such information. In addition, a comparison (as suggested in the Office Action) of the two figures from two different references adds absolutely nothing to the independent teachings with respect to the presently claimed invention.

Appellants further note that Malamud's items for which information are displayed are not object manipulators as presently claimed. Without describing object manipulators, Malamud cannot

possibly teach the display of information until an object manipulator is activated. Thus, both Malamud and Kreegar, either alone or in combination, completely and entirely fail to teach, disclose, or suggest, the present invention.

Appellants note that the Answer fails to address the above arguments.

In view of the above, Appellants respectfully request reversal of the Examiner's rejections.

16. Dependent Claims 16, 32, and 48 are Not Separately Argued

B. Conclusion

In light of the above arguments, Appellants respectfully submit that the cited references do not anticipate nor render obvious the claimed invention. More specifically, Appellants' claims recite novel physical features which patentably distinguish over any and all references under 35 U.S.C. §§ 102 and 103. As a result, a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

GATES & COOPER LLP

Attorneys for Appellant(s)

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: October 6, 2008

By: /Jason S. Feldmar/  
Name: Jason S. Feldmar  
Reg. No.: 39,187

JSF/

G&C 30566.307-US-01

## CLAIMS APPENDIX

1. (PREVIOUSLY PRESENTED) A method for temporarily displaying information relating to an object manipulator:

displaying a graphic object in a computer graphics program;  
displaying an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;  
receiving cursor input wherein a cursor is placed over the object manipulator; and  
temporarily displaying information relating to the object manipulator without activating the object manipulator.

2. (CANCELLED)

3. (PREVIOUSLY PRESENTED) The method of claim 1, wherein temporarily displaying the information comprises changing a color of the object manipulator, wherein other object manipulators are displayed in close proximity on the graphic object such that it is difficult to distinguish which object manipulator will be activated as a result of pointing device activation, and wherein the changing of the color distinguishes the object manipulator from the other object manipulators.

4. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the information comprises a value of the property that will be modified by activation of the object manipulator.

5. (ORIGINAL) The method of claim 4, wherein the property comprises a dimensional property.

6. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the information comprises a graphics visual representation of the graphic object indicating a potential change to a state of the graphic object.

7. (ORIGINAL) The method of claim 6, wherein the potential change comprises potential results of interacting with the object manipulator.
8. (ORIGINAL) The method of claim 1, wherein the information comprises a function of the object manipulator.
9. (PREVIOUSLY PRESENTED) The method of claim 8, wherein the function comprises a name of the property the object manipulator is used to modify.
10. (ORIGINAL) The method of claim 1, wherein the information is displayed in a text message box.
11. (ORIGINAL) The method of claim 1, wherein the information comprises a method used to modify a function of the object manipulator.
12. (ORIGINAL) The method of claim 1, wherein the information is displayed immediately when the cursor is located over the object manipulator.
13. (ORIGINAL) The method of claim 1, wherein the information is displayed after a period of time has passed with the cursor located over the object manipulator.
14. (ORIGINAL) The method of claim 1, wherein the information is hidden from display after a period of time has passed.
15. (ORIGINAL) The method of claim 1, wherein the information remains displayed until a user activates the object manipulator.
16. (ORIGINAL) The method of claim 1, wherein the information remains displayed until the cursor is moved off of the object manipulator.



17. (PREVIOUSLY PRESENTED) An apparatus for temporarily displaying information relating to an object manipulator in a computer graphics program of a computer system comprising:

- (a) a computer having a memory;
- (b) an application executing on the computer, wherein the application is configured to:
  - (i) display a graphic object in a computer graphics program;
  - (ii) display an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;
  - (iii) receive cursor input wherein a cursor is placed over the object manipulator; and
  - (iv) temporarily display information relating to the object manipulator without activating the object manipulator.

18. (CANCELLED)

19. (PREVIOUSLY PRESENTED) The apparatus of claim 17, wherein the application is configured to temporarily display the information by changing a color of the object manipulator, wherein other object manipulators are displayed in close proximity on the graphic object such that it is difficult to distinguish which object manipulator will be activated as a result of pointing device activation, and wherein the changing of the color distinguishes the object manipulator from the other object manipulators.

20. (PREVIOUSLY PRESENTED) The apparatus of claim 17, wherein the information comprises a value of the property that will be modified by activation of the object manipulator.

21. (ORIGINAL) The apparatus of claim 20, wherein the property comprises a dimensional property.

22. (PREVIOUSLY PRESENTED) The apparatus of claim 17, wherein the information comprises a graphics visual representation of the graphic object indicating a potential change to a state of the graphic object.

23. (ORIGINAL) The apparatus of claim 22, wherein the potential change comprises potential results of interacting with the object manipulator

24. (ORIGINAL) The apparatus of claim 17, wherein the information comprises a function of the object manipulator.

25. (PREVIOUSLY PRESENTED) The apparatus of claim 24, wherein the function comprises a name of the property the object manipulator is used to modify.

26. (ORIGINAL) The apparatus of claim 17, wherein the information is displayed in a text message box.

27. (ORIGINAL) The apparatus of claim 17, wherein the information comprises a method used to modify a function of the object manipulator.

28. (ORIGINAL) The apparatus of claim 17, wherein the information is displayed immediately when the cursor is located over the object manipulator.

29. (ORIGINAL) The apparatus of claim 17, wherein the information is displayed after a period of time has passed with the cursor located over the object manipulator.

30. (ORIGINAL) The apparatus of claim 17, wherein the information is hidden from display after a period of time has passed.

31. (ORIGINAL) The apparatus of claim 17, wherein the information remains displayed until a user activates the object manipulator.

32. (ORIGINAL) The apparatus of claim 17, wherein the information remains displayed until the cursor is moved off of the object manipulator.

33. (PREVIOUSLY PRESENTED) An article of manufacture comprising a program storage medium readable by a computer and embodying one or more instructions executable by the computer to perform a method for temporarily displaying information relating to an object manipulator in an object-oriented computer graphics system, the method comprising:

means for displaying a graphic object in a computer graphics program;  
means for displaying an object manipulator on the graphic object, wherein the object manipulator comprises a glyph or symbol that is used to modify a property of the graphic object;  
means for receiving cursor input wherein a cursor is placed over the object manipulator; and  
means for temporarily displaying information relating to the object manipulator without activating the object manipulator.

34. (CANCELLED)

35. (PREVIOUSLY PRESENTED) The article of manufacture of claim 33, wherein the means for temporarily displaying the information comprises means for changing a color of the object manipulator, wherein other object manipulators are displayed in close proximity on the graphic object such that it is difficult to distinguish which object manipulator will be activated as a result of pointing device activation, and wherein the changing of the color distinguishes the object manipulator from the other object manipulators.

36. (PREVIOUSLY PRESENTED) The article of manufacture of claim 33, wherein the information comprises a value of the property that will be modified by activation of the object manipulator.

37. (ORIGINAL) The article of manufacture of claim 36, wherein the property comprises a dimensional property.

38. (PREVIOUSLY PRESENTED) The article of manufacture of claim 33, wherein the information comprises a graphics visual representation of the graphic object indicating a potential change to a state of the graphic object.

39. (ORIGINAL) The article of manufacture of claim 38, wherein the potential change comprises potential results of interacting with the object manipulator

40. (ORIGINAL) The article of manufacture of claim 33, wherein the information comprises a function of the object manipulator.

41. (PREVIOUSLY PRESENTED) The article of manufacture of claim 40, wherein the function comprises a name of the property the object manipulator is used to modify.

42. (ORIGINAL) The article of manufacture of claim 33, wherein the information is displayed in a text message box.

43. (ORIGINAL) The article of manufacture of claim 33, wherein the information comprises a method used to modify a function of the object manipulator.

44. (ORIGINAL) The article of manufacture of claim 33, wherein the information is displayed immediately when the cursor is located over the object manipulator.

45. (ORIGINAL) The article of manufacture of claim 33, wherein the information is displayed after a period of time has passed with the cursor located over the object manipulator.

46. (ORIGINAL) The article of manufacture of claim 33, wherein the information is hidden from display after a period of time has passed.

47. (ORIGINAL) The article of manufacture of claim 33, wherein the information remains displayed until a user activates the object manipulator.

48. (ORIGINAL) The article of manufacture of claim 33, wherein the information remains displayed until the cursor is moved off of the object manipulator.

## EVIDENCE APPENDIX

None.

## RELATED PROCEEDINGS APPENDIX

None.